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Part V

Department of Justice

Office of Justice Assistance Research and Statistics

Improving Government Regulations; Semiannual Agenda of Significant Regulations Under Development or Review

DEPARTMENT OF JUSTICE

Office of Justice Assistance Research and Statistics

28 CFR Ch. 1

Improving Government Regulations; Semiannual Agenda of Significant Regulations Under Development or Review

AGENCY: Office of Justice Assistance, Research and Statistics.

ACTION: Publication of the semiannual agenda of regulations.

SUMMARY: This Semiannual Agenda of Significant Regulations is issued pursuant to Section 2(a) of Executive Order No. 12044 (43 FR 12661), which requires the publication at least semiannually of an "agenda of significant regulations under development or review."

The purpose of this Semiannual Agenda is to provide the public with information about regulatory activity within the Office of Justice Assistance, Research and Statistics (OJARS), the Law Enforcement Assistance Administration (LEAA), the National Institute of Justice (NIJ), and the Bureau of Justice Statistics (BJS).

On December 27, 1979, the Justice System Improvement Act of 1979 was enacted. The Act established the OJARS, the LEAA, the NIJ, and the BJS. OJARS directly provides staff support to, and coordinates the activities of the NIJ, the BJS, and the LEAA. OJARS, as part of its coordination function, publishes the Semiannual Agenda of Significant Regulations. The last Agenda was published by the former Law Enforcement Assistance Administration on April 20, 1979.

FOR FURTHER INFORMATION CONTACT: For inquiries or comments related to specific regulations in the agenda, the public is encouraged to contact the appropriate knowledgeable official. Questions or comments concerning the overall agenda should be sent to Leonard Oberlander, Office of Planning and Management, Office of Justice Assistance, Research and Statistics, U.S. Department of Justice, 633 Indiana Avenue NW., Washington, DC 20531 (202) 724-7636.

SUPPLEMENTARY INFORMATION: The Semiannual Agenda covers new significant regulations under development at the time this agenda is prepared, or which are anticipated to be under development within the next twelve months. It also includes existing significant regulations under review with an eye toward possible revision, or ones anticipated to begin such review before the publication of the next Semiannual Agenda. For all regulations that were included in the last semiannual agenda published in the **Federal Register** on April 20, 1979, a status update is included. Following are agenda entries for each significant regulation under development or review, or anticipated to be so prior to the publication of the next semiannual agenda, and a status update for all entries that were included in the last semiannual agenda published on April 20, 1979 in the **Federal Register.**

A. Plans for Modifying Regulations

1. Title. Nondiscrimination in Federally Assisted Crime Control and Juvenile Delinquency Programs, 28 CFR 42.201 et seq.

The present nondiscrimination regulations are published as 28 CFR 42.201 *et seq.* The Justice System Improvement Act of 1979 provides in subsection 817(d) that within 120 days of the enactment of the subsection the Office of Justice Assistance, Research, and Statistics shall review existing civil rights regulations and conform them to the new legislation. The Act was enacted on December 27, 1979. Additionally, the regulations will be amended to define what discrimination in services is prohibited and to be consistent with LEAA's Equal Employment Opportunity Program Guidelines (28 CFR 42.301 *et seq.*) and the Equal Service Program Guidelines which are under development.

Legal Basis. Subsection 817d of the Justice System Improvement Act requires that existing civil rights regulations be reviewed and conformed to the new legislation.

Regulatory Analysis. No regulatory analysis is necessary.

Knowledgeable Official. Wilbur R. Brantley, Director, Office of Civil Rights Compliance, OJARS, 633 Indiana Avenue NW., Washington, DC 20531 (202) 633-2215.

B. New Regulations Under Development

1. Title. Urban Crime Prevention Program Guideline

Description of the Regulation. These guidelines will provide guidance to applicants who have the ability to draw together low and moderate income neighborhood community groups, local government, criminal justice agencies and the private/public sectors in community anti-crime efforts. The guidelines describe the structure that is required at the local level to ensure the forging of a partnership among all community elements. Further, project models that will receive major funding are outlined.

Legal Basis. Section 301 and 501 of Title I of the Omnibus Crime Control and Safe Streets Act of 1968, as amended (42 U.S.C. 3701 *et seq.*)

Regulatory Analysis. A regulatory analysis is not required.

Knowledgeable Official. Ernest Milner, Director, Urban Crime Prevention Program, Office of Community Anti-Crime program, LEAA, 633 Indiana Ave. NW., Washington, DC 20531 (202) 724-5935.

2. Title. Community Anti-Crime Program Guidelines

Description of the Regulation. The Community Anti-Crime Program Guidelines will detail the specific requirements for applicants wishing to apply to the program. It will include program goals and objectives and describe for prospective applicants the kinds of project activities which will be considered for funding. It will also define the information which *must* be included in a proposal, the dollar range of grants, eligibility criteria, submission deadlines and criteria for selection.

This issuance is needed to ensure that applicants fully understand program requirements before submitting proposals.

Legal Basis. Sections 301 and 501 of Title I of the Omnibus Crime Control and Safe Streets Act of 1968, as amended (42 U.S.C. 3701 *et seq.*)

Regulatory Analysis. A regulatory analysis will not be necessary.

Knowledgeable Official. Cornelius M. Cooper, Assistant Administrator, Office of Community Anti-Crime Programs, Law Enforcement Assistance Administration, 633 Indiana Avenue, NW., Washington, DC 20531 (202) 724-6556.

C. Status of Regulations Previously Listed in the Semiannual Agenda of Significant Regulations Published on April 20, 1979 (44 FR 23770)

1. Title. Guide for Graduate Research Fellowship Program, G5400.2B

The target dates for this regulation have been updated, the new target dates are:

Begin Draft—November 30, 1979.

Publish for Comment—February 29, 1980.

Issue Final Regulation—June 30, 1980.

For further information contact: Jean Moore, Chief, Program Development Division, Office of Criminal Justice Education and Training, LEAA, 633 Indiana Avenue, NW., Washington, DC 20531 (301) 492-9144.

2. Title. Administrative Review Procedure, 28 CFR Part 18

OJARS will publish for comment proposed regulations in the **Federal Register** in late January or early February 1980. Final regulations should be published within 60 days after the end of the comment period on the proposed regulations. More information about this regulation can be obtained from Mr. Thomas J. Madden, General Counsel, OJARS, at (202) 724–7792.

3. Title. Financial Management for Planning and Action Grants, M7100.1A

Revised target dates for this regulation are late January 1980 for publication of the draft proposed regulation in the **Federal Register** for comment, and April 1980 for publication of the final regulation in the **Federal Register.** For further information contact Mr. Arthur E. Curry, Office of the Comptroller, OJARS, at (202) 724–5863.

4. Title. Guide for Discretionary Grant Programs, M4500.1H

This guideline is now referred to as *National Priority Program and Discretionary Program Announcements* and *Application Kits for National Priority Programs and Discretionary Programs.* This simplified and streamlined format replaces the more cumbersome former M4500.1G. Revised target dates for publication of the Program Announcements in the **Federal Register** are now: (1) Request for public comment was published in the **Federal Register** on December 12, 1979, and (2) Program announcements will be published in final form within 60 days after the end of the public comment period. Revised target dates for publication of the Application Kits in the **Federal Register** are now (1) request for public comment on or about February 25, 1980, and (2) final publication of the Application Kits within 60 days after the end of the public comment period. Four Program Announcements and Application Kits for programs sponsored by the Office of Juvenile Justice and Delinquency Prevention will be published separately, as specified in the Semiannual Agenda Overview table below. For further information contact Mr. Michael Cronin, OJARS, at (202) 724–7631.

5. Title. Change to Guide for Discretionary Grant Programs, M4500.1G FY 79

a. Issuance of the final regulation (LEAA Program Announcement) for *Replicaton of Project New Pride: A Serious Offender Youth Treatment Program* was published in the **Federal Register** on July 3, 1979.

b. Issuance of the final LEAA Program Announcement, *Youth Advocacy Initiative* was published in the **Federal Register** on October 12, 1979.

c. Target dates for the *Alternative Education* Announcement were changed. LEAA published a draft announcement for comment on October 15, 1979. The final Program Announcement is expected to be published on or about January 31, 1980. For further information contact Ms. Marilyn Landon, Program Assistant, Office of Juvenile Justice and Delinquency Prevention, LEAA, at (202) 724–7751.

6. Title. Change to Guideline Manual for State Planning Agencies, M4100.1F

a. *Chapter 3, Paragraph 52(n)(2); Definition of a Juvenile Detention or Correctional Facility.* The final Guideline Revision for the Definition of a Juvenile Detention or Correctional Facility was published in the **Federal Register** on September 27, 1979.

b. *Changes to Chapter 3, Paragraph 51* have been cancelled.

This review is now part of the development of *Regulations Implementing Part D (formula grants) of the Justice System Improvement Act of 1979.*

7. Title. Equal Employment Opportunity Program Guidelines, 28 CFR 42.301 et seq. and

8. Equal Service Program Guidelines

Notice of Change in target dates for these proposed regulations (7) and (8) was published in the **Federal Register** on September 13, 1979.

OJARS expects to publish both sets of Guidelines, for comment, in January 1980 and to publish final Guidelines in April 1980.

For further information contact Thomas J. Madden, General Counsel, OJARS, (202) 724–7792.

9. Title. Regulations Implementing Part D of the Justice System Improvement Act of 1979

These guidelines set forth requirements for applications for formula grants to state and local governments authorized by Part D of the Justice and Delinquency Prevention Act.

Development of the guidelines was initiated in April 1979 with the formation of a Task Force comprised of LEAA and public interest group representatives to discuss and resolve issues in implementing the new formula grant program of the Justice System Improvement Act. Six Task Force meetings have been held to date. Major issues have been State and local roles in the program, allowable uses of formula grant monies, and the required content of grant applications.

OJARS published draft guidelines for comment in the **Federal Register** on January 14, 1980. After a period for public review and comment, final guidelines will be published in the **Federal Register.** For further information contact Allen Payne, Director, Policy and Management Planning Staff, LEAA, at (202) 724–7659.

D. Status of Regulations Initiated After the Publication of the Last Semiannual Agenda and Which Were Included in an Updated Agenda on File in the LEAA

1. Title. Additions to the Guide for Discretionary Grant Programs, FY 79 Guideline, Which Were Initiated After the Publication of the Last Semiannual Agenda

These additions were included in an updated Agenda on file in the Law Enforcement Assistance Administration, where it is available for public inspection.

a. *Guide for Discretionary Grant Programs, M4500.1G for FY 1979; National Victim/Witness Strategy.* The final Guideline for the National Victim/Witness Strategy Program was published in the **Federal Register** on July 10, 1979.

b. *Guide for Discretionary Grant Programs, M4500.1G, for FY 1979; Arson Control Assistance Program.* The final Guideline for the Arson Control Assistance Program was published in the **Federal Register** on July 24, 1979.

Semiannual Agenda Overview

Title of regulations	Target dates		
	Begin draft	Publish for comment	Issuance of final regulation
A. Regulations under Review and Revision:			
Nondiscrimination in Federally-Assisted Crime Control and Juvenile Delinquency Programs 28 CFR 42.201 *et seq.*	On passage of new legislation.	April 1980	(1)
B. New Regulations under Development:			
1. Urban Crime Prevention Program Guideline		Oct. 16, 1979	Feb. 1, 1980.
2. Community Anti-Crime Program Guideline		November 1979.	January 1980.

Semiannual Agenda Overview —Continued

Title of regulations	Target dates		
	Begin draft	Publish for comment	Issuance of final regulation
C. Status of Regulations Previously Listed in the Semiannual Agenda of Significant Regulations Published on April 20, 1979 (44 FR 23770):			
1. Graduate Research Fellowship Program, G5400.2B	Nov. 30, 1979.	Feb. 29, 1980	June 30, 1980.
2. Administrative Review Procedure, 28 CFR Part 18		January or February 1980.	(1)
3. Financial management for Planning and Action Grants, M7100.1A		Janaury 1980	April 1980.
4. Formerly Guide for Discretionary Grant Programs M4500.1H; now designated as Program Announcements and Applications Kits for National Priority and Discretionary Programs:.			
(A) Program Announcements		Dec. 12, 1979	(1)
(B) Application Kits		Feb. 25, 1980	(1)
Parts of the above to be published for comment and issued as final on separate dates in the FEDERAL REGISTER. These are programs of the Office of Juvenile Justice and Deliquency Prevention.			
(A) Serious Juvenile Offender		Mar. 7, 1980	May 31, 1980.
(B) Removal of Youths from Adult Jails and Lockups in Rural Communities.		Mar. 15, 1980	May 31, 1980.
(C) Capacity Building		Feb. 25, 1980	April 30, 1980.
(D) Prevention Research and Demonstration		Mar. 1, 1980	May 20, 1990.
5. Change to Guide for Discretionary Grant Programs, M4500.1G FY 79:			
(A) New Pride			July 3, 1979.
(B) Youth Advocacy			Oct. 12, 1979.
(C) Alternative Education		Oct. 15, 1979	Jan. 31, 1980.
6. Change to Guideline Manual for State Planning Agencies, M4100.1F:			
(A) Chap. 3, par. 52			Sept. 27, 1979.
(B) Chap. 3, par. 51	Cancelled	Cancelled	Cancelled.
7. Equal Employment Opportunity Program Guidelines, 28 CFR part 42		Janaury 1980	April 1980.
8. Equal Service Program Guidelines		Janaury 1980	April 1980.
9. Regulations Implementing Part D (formula grants) of the Justice System Improvement Act of 1979.		Jan. 14, 1980	(1)
D. Status of Regulations initiated after the publication of the last Semiannual Agenda and were included in an updated Agenda on file in the LEAA.			
Change to Guide for Discretionary Grant Programs, M4500.1G for FY 79:			
(A) National Victim Witness Strategy			July 10, 1979.
(B) Arson Control Assistance Program			July 24, 1979.

[1] Within 60 days after end of comment period.

Henry S. Dogin,

Acting Director, Office of Justice Assistance, Research and Statistics.

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